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| In re Patent No. 6,964,366 | : | |
| Issued: November 15, 2005 | : | |
| Application No. 10/727,293 | : | ON PETITION |
| Filed: December 2, 2003 | : | |
| Attorney Docket No. JIIL05 | : | |

This is a decision on the petition, filed December 21, 2006, which is being treated as a request under 37 CFR 3.81(b)¹ to correct the assignee on the issued patent.

The request is **DISMISSED**.

37 CFR 3.81(a) permits the patent to issue to the assignee, provided that, at the time the issue fee is paid, the name and correct address of an assignee is provided. 37 CFR 3.81(b) permits the patent to issue in the name and correct address of an assignee if the assignment was submitted after payment of the issue fee but *prior to issuance of a patent*. Patent and Trademark Office assignment records disclose that an assignment correcting the assignee's name from "BAYCOM-ELECTRONICS TECHNOLOGY CO., LTD" to "BAYCOM OPTO-ELECTRONICS TECHNOLOGY CO., LTD)" was recorded on November 14, 2006, after the date of issuance of this patent.

Accordingly, since the assignment was not submitted for recordation until after issuance of this patent, issuance of a certificate of correction would not be proper. *See* MPEP Section 307.

Further, petitioner will be charged the \$130.00 surcharge as authorized.

Inquiries concerning this decision should be directed to Joan Olszewski at (571) 272-7751.

/Liana Walsh/
Liana Walsh
Petitions Examiner
Office of Petitions

¹ See Official Gazette of June 22, 2004